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ABSTRACT

This issue of the "Quarterly Resource" reviews the Americans with Disabilities Act (ADA) and the act's implications for Head Start programs, and offers suggestions for developing plans for complying with the provisions of the act. After a brief introduction, an overview of ADA is presented, followed by several examples and cost estimates of reasonable accommodations. Aspects of Title I (the section of the act that focuses on employment) and Title III (the section of the act that focuses on the elimination of physical and communication barriers in the community) are discussed in a question and answer format. Four symbols used to indicate facilities or services for the disabled are shown. The publication also includes information about how to use a telephone device for the deaf or a text telephone to communicate with hearing people. A checklist for identifying accessibility problems in existing facilities, strategies for developing a plan for complying with the ADA's provisions, and guidelines for planning meetings or conferences are also provided. (MM)

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THE AMERICANS WITH DISABILITIES ACT AND HEAD START: PRACTICAL STRATEGIES FOR DEVELOPING COMPLIANCE PLANS

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INTRODUCTION

President George Bush signed the Americans with Disabilities Act (ADA, P.L. 101-336) on July 26, 1990, enacting the most powerful and landmark disability rights law ever passed by the federal government. The ADA builds on the foundation laid by the Rehabilitation Act of 1973, which established rights for people with disabilities in programs receiving federal funds. The provisions of Title I went into effect on July 26, 1992; Title III went into effect on January 26, 1992.

The purpose of the ADA is to end discrimination for people with disabilities and remove barriers that have prevented their full inclusion in American society, in the workplace and in the community. The goal of full inclusion of people with disabilities in society is congruent with Head Start's efforts to include children with disabilities in their early childhood programs and offers a promise of increased opportunity for all people, including those with disabilities.

There are five parts or titles to the ADA. Title I focuses on employment; Title II focuses on services and facilities provided by local, state and federal government. Title III focuses on the elimination of physical and communication barriers in the community. Title IV provides for relay services for telephone communication between people using standard phones and people who are hearing or speech impaired and who use TDDs (telephone devices for the deaf). Title V provides guidance on enforcement issues.

The ADA is an important law for Head Start because it means that our children with disabilities will have a better future. Title I provides the framework for improved employment opportunities for qualified individuals with a disability. Greater numbers of people with disabilities in the workplace means that our children will have role models of disabled adults working successfully in their communities. Title III requires Head Start programs to improve the physical and communication accessibility of their facilities.

This issue of the **Quarterly Resource** will review the ADA and its implications for Head Start programs, and offer suggestions for developing compliance plans. While compliance plans are not mandated by the ADA for Head Start programs, the development of such plans will provide a structure for ensuring that Head Start programs meet the requirements of Title I for employment practices and Title III for program physical and communication accessibility. Head Start programs are legally responsible for compliance with the requirements of Title I and Title III.

Your questions and feedback are invited. The ADA is a new law, and while many issues related to disability have been settled by case law with regard to the Rehabilitation Act of 1973, ambiguities remain that will require clarification by the courts. You may call me for technical assistance at 217-333-3876.

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OVERVIEW OF THE AMERICANS WITH DISABILITIES ACT[1]

What is the Americans with Disabilities Act?

The Americans with Disabilities Act is the most comprehensive law passed to protect the civil rights of people with disabilities. Its purpose is to make possible the inclusion and full participation of people with disabilities, not only in the workplace, but also in the community.

What are the basic provisions of the ADA?

The ADA is made up of five parts or "titles". Title I relates to employment provisions. Title II spells out requirements for state and local governments, and how they must make their services (including transportation) accessible to people with disabilities. Title III focuses on places of "public accommodation" and details the changes that should be made to remove barriers for people with mobility impairments. In addition, it provides for modifications to be made for people with significant speech, hearing or visual limitations. Title IV requires each state to develop relay services so that people with speech or hearing disabilities using a special phone (Telephone Device for the Deaf or TDD) may communicate with people who use standard (voice) phones. Title V includes information about enforcement and various miscellaneous provisions.

Is the ADA applicable to Head Start programs in all states?

Yes, the ADA is a federal law and applies to all employers (including Head Start programs) with a few exceptions, such as the federal government and churches, and employers of fewer than 25 employees. Where state law is more strict than the ADA, the state law takes precedence. For example, Minnesota, Illinois, Wisconsin, and Michigan require that any employer with <u>one</u> or more employees is required to provide reasonable accommodation to employees with disabilities. Ohio law requires employers with <u>four</u> or more employees to provide reasonable accommodation. Note, also, that parking laws for states may be different from the ADA requirements. In any case, employers must conform to whichever law is more strict.

What does the ADA mean for Head Start programs?

Head Start programs will be subject to the provisions of Title I and Title III of the ADA. While Head Start programs are not **required** by law to develop and publish compliance plans (as are the government entities under Title II), the development of such a plan would be an excellent administrative tool to ensure that each program is familiar with the requirements of the ADA and has developed provisions for complying with Title I and Title III. Furthermore, a written compliance plan would provide documentation for an administrative audit or program review and would show a "good faith effort" has been made to comply, should any complaints of discrimination be made. Most likely, the next edition of the On-Site Program Review Instrument (OSPRI) will include items about ADA

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[1] This section is based on the **Technical Assistance Manual on the Employment Provisions (Title I) of the Americans with Disabilities Act**, published by the U. S. Equal Employment Opportunity Commission.

compliance in its review of management systems and procedures, just as the SAVI included information about Section 504 of the Rehabilitation Act of 1973.

What benefits will the ADA have for our Head Start children?

The ADA means good things for Head Start children with disabilities. It means that families who have children with disabilities will be able to take them to places that may have been previously inaccessible. It means that there will be more opportunities for them now and when they grow up. It means that we will be seeing more people with disabilities taking part in community activities. It means that children will have positive role models of people with disabilities in society. It means that more efforts will be made to **include** people with disabilities in all parts of community activities -- in government, transportation, recreation, education, the workplace and health care facilities, for example.

How do the employment provisions apply to Head Start programs?

Head Start programs are considered "employers" under the ADA, so all employment practices, including policies and procedures, and the entire employment process, including the advertising of vacant positions, the application process, the hiring and promotion process, disciplinary actions, benefits and termination procedures must comply with Title I.

What are the possible outcomes of non-compliance?

Applicants or current employees may file complaints of discriminatory practice within 180 days of the alleged discrimination. If the federal investigation finds a Head Start program is in violation of the law, efforts will be made at conciliation. If conciliation fails, substantial financial penalties, or relief, are possible.

What activities will help Head Start staff comply with the ADA?

1. **Becoming familiar with the requirements and terminology of Title I and Title III.**

2. **Developing a policy statement** indicating Head Start's commitment to the spirit of the ADA.

2. **Reviewing all employment practices and procedures and make any necessary changes** to ensure there are no discriminatory practices.

3. **Surveying facilities** used by Head Start programs to determine what changes are "readily achievable" to make the programs accessible for people with mobility and communication disabilities. A "Checklist for Existing Facilities" is included in this resource, which will help to identify needed changes.

4. **Developing a plan to work toward eliminating problems identified in the survey.**

5. **Providing regular training for all Head Start staff about the ADA,** because the ADA applies to both children and adults and can apply to staff and members of the general public who have contact with Head Start.

6. **Educating staff, parents and children about the potential that people with disabilities offer to society.**

Suggestions for more specific approaches for compliance will be given later, but first an understanding of some of the terminology used in the law will be helpful.

The ADA does not provide a list of disabling conditions that automatically qualify a person for coverage. Rather, the ADA looks at individuals and their functional abilities on a case-by-case basis. Figure 1 structures the key decision points under the ADA and provides a framework for an understanding of the terminology involved.[2]

Key Decision Points in the Employment Process under the ADA

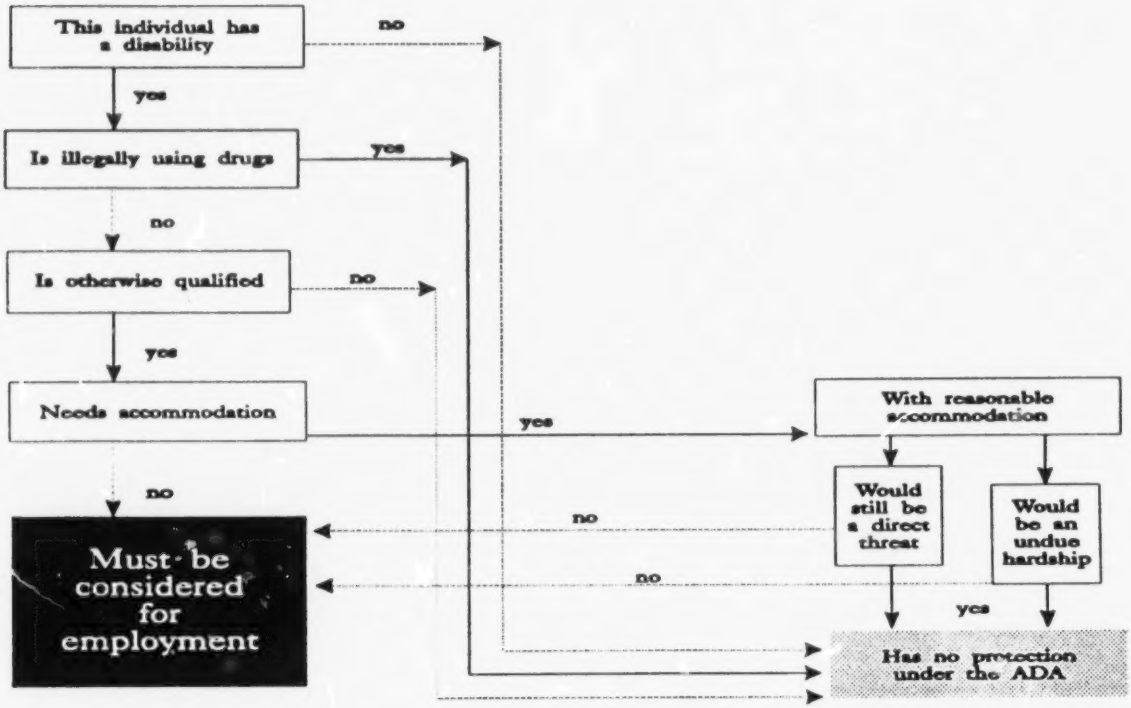

Figure 1

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[2] Reproduced with permission from **Human Resource Executive's Survival Guide to The Americans with Disabilities Act**. Copyright by LRP Publications. All rights reserved.

EXAMPLES OF REASONABLE ACCOMMODATIONS

Door Knob Opener -- a lever that fits over the door knob for people who have difficulty grasping -- $14.50

Steady Write Pen and Pencil -- another device for people who have difficulty grasping -- $4.95 each

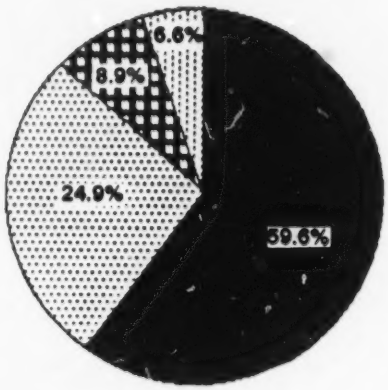
Volume control for telephone headset -- for those who are hard of hearing -- $35.00

Louder bell for telephone -- $30.00

Big Button telephone for people who are visually impaired -- $70.00

Calculator with large print read-out $14.95

Carpeting with maximum of ½" pile makes it easier for people in wheelchairs to move -- $10.00 sq. yd.



■	$100 or less	59.6%
▒	$100 - 500	24.9%
▦	$500 - 1000	8.9%
▒	over $1000	6.6%

Average Cost of Job Accommodation was under $500

Source: United Cerebral Palsy Association, Inc.

TERMINOLOGY AND EMPLOYMENT PROVISIONS OF TITLE I

Who is an Individual with a Disability?

The ADA defines an individual with a disability as someone who meets one or more of these criteria:

1. **Has a physical or mental impairment that substantially limits one or more major life activities.** Physical or mental impairments that might be considered disabilities substantially limiting major life activities include visual, hearing and speech impairments, cerebral palsy, mobility impairments, cancer, heart disease, mental retardation, alcoholism, AIDS, epilepsy, diabetes, asthma, tuberculosis, dyslexia and learning disabilities, muscular dystrophy, psychiatric disabilities and severe allergies, for example.

2. **Has a record of such an impairment.** This category includes people who have a history of, or who were mis-classified as having an impairment that limited a major life activity, and could include individuals who have recovered from a heart attack, cancer, back injury, or mental illness, or who have been mis-classified as having mental retardation or mental illness.

3. **Is perceived or regarded as having such an impairment.** Individuals covered in this category include those who currently have a non-disabling condition such as high blood pressure or a spinal deformity that is considered a risk for future disability, or individuals who have severe disfigurements or burns, whom the employer perceives as unable to work in a position involving public contact.

Who is a Qualified Individual with a Disability?

A qualified individual with a disability is someone who has the necessary skills, experience, education and other job-related requirements for the position in question, and who, with or without reasonable accommodation, can perform the essential functions of the job.

Others Who Are Covered

Some people who have no disabilities are covered under Title I. Those who associate with a person with a disability are also protected from discrimination. Family members, volunteers who work with people with AIDS or any other group, and personal attendants are protected from discrimination. Employers may not refuse to hire an applicant because the applicant's spouse or child is a person with a disability and the employer is concerned that the applicant will frequently miss work to care for the family member. Employers are not required, however, to grant a request for flex-time because of the needs of a family member with a disability.

Those who are excluded from the definition of a Qualified Individual with a Disability

Individuals who are current users of illegal drugs or using illegal drugs or alcohol in the workplace are not protected by the ADA. The ADA does protect individuals who have successfully completed a rehabilitation program and who are drug-free, those who are currently in treatment, and those who are taking experimental drugs under medical supervision. The term disability does not include homosexuality or gender identity disorders. Nor does it include compulsive gamblers, kleptomaniacs or pyromaniacs.

What does this mean for our employment practices?

Basically, it means that Head Start's current employment practices must be reviewed very carefully to make sure that discriminatory practices are eliminated from the entire employment process, (including advertising for the position, through the application process, hiring, orientation, promotions, disciplinary actions and termination).

Head Start may not disqualify applicants who have disabilities automatically because of some concern about whether they could do the job or not. Employers are not permitted to ask directly whether an individual has a disability. Any questions relating to disabilities or medical histories must be eliminated from application forms and interviews. Some disabilities are not visible and the employer may not know that the individual has a disability. In some cases, the disability will be obvious. Some applicants may be referred by agencies that assist people with disabilities, such as a state Department of Rehabilitation.

Medical examinations must not be required of a person with a disability unless it is required of all applicants for a particular position. Medical examinations may not be given until after an offer of employment has been made.

If drug testing is a routine part of your employment procedures, it may not be used to screen out an individual with a disability. Drug testing may only be done if it is routinely done for all applicants.

Any information that is obtained about an individual's disability must be kept in a separate and confidential medical file. The only people who should be informed about the individual's disability are supervisory personnel or emergency medical personnel, and then only if it is medically necessary.

What are essential functions?

The term essential functions refers to the fundamental duties of the job and does not include the marginal functions of the position. For example, requiring that applicants have a driver's license would not be an essential function for most positions, unless that person would be expected to spend a significant amount of time actually driving. For example, driving a car would be considered an essential function for a Homebased Teacher, but might not be an essential function for a Teacher at a Head Start facility.

How are essential functions determined?

There are a variety of ways to determine whether a particular function is deemed essential, including:

1. The position exists to perform the function.
2. There are a limited number of other employees available to perform the function, or among whom the function can be distributed.

Evidence that a function is essential could include:

1. The employer's judgment as to which functions are essential.
2. Written job descriptions prepared before advertising or interviewing applicants for the job.
3. The terms of a collective bargaining agreement.
4. The percentage of time spent performing the function or duty in question.
5. The experience of prior workers who held the position.
6. The current work experience of employees in similar jobs.
7. The number of employees available among whom the functions could be distributed.

What are marginal functions?

Marginal functions are tasks that a person may do but that are not essential to the position. Marginal functions could be reassigned to some other employee (in exchange for some other marginal function).

What advantages would there be to revising job descriptions?

The ADA does not require a formal job analysis to identify the essential functions of a job. A job analysis, however, that is focused on outcomes or results will be helpful in establishing appropriate qualification standards, developing job descriptions, conducting interviews, and selecting people in accordance with ADA requirements. It will be particularly useful in helping to identify accommodations that would enable an individual with specific functional abilities and limitations to perform the job.

A job analysis should focus on the purpose of the job and the importance of actual job functions in achieving this purpose. "Importance" may include consideration of the frequency with which a function is performed, the amount of time spent on the function, and the consequences if the function is not performed. A job analysis should include information about the work environment, also.

Example: If a job requires mastery of information in manuals, this essential function would be "ability to learn information in manuals", rather than "ability to read manuals." People with visual and other reading impairments could perform this function using other means, such as audiotapes. People with learning disabilities could have the material read to them; or, tasks could be demonstrated.

How can employers determine whether the applicant can perform the essential functions of a job?

Applicants can be asked whether they can perform the essential functions, and the employer may ask the applicants to demonstrate how they would perform the essential functions. Any testing of applicants must be for the purpose of determining their ability to perform essential functions of the position. If modifications are needed in order to perform a task, the employer may ask what reasonable accommodations would be necessary.

Who could help us determine what accommodations might be necessary?

The applicant or employee may have suggestions about what would work best. Many accommodations are very simple and inexpensive. For more complex problem solving, a rehabilitation counselor, occupational therapist, rehabilitation engineer or other person skilled in determining accommodations may be very helpful. Call a Center for Independent Living, a state department of rehabilitation office, or rehabilitation unit in a hospital for referral information about local resources. The Job Accommodation Network (800-526-7234) is also available for consultation.

Is the ADA an affirmative action law?

The ADA is not an affirmative action law; however, it does protect individuals with disabilities in all aspects of the employment relationship including hiring, training, compensation, promotion, discharge and benefits. It does not require that an employer hire an applicant with a disability if the person is unable to perform the essential functions of the job with or without reasonable accommodations.

What are reasonable accommodations?

The ADA requires employers to make reasonable accommodations to applicants or current employees who have disabilities. Examples of reasonable accommodations include:

1. Restructuring a job by reassigning to other employees those marginal functions of the job which the individual with a disability is unable to perform.

2. Modifying work schedules for individuals with mobility impairments who depend on public transportation to get to and from work.

3. Allowing additional unpaid leave time to enable an employee to obtain necessary treatment such as physical therapy, occupational therapy, psychotherapy or to obtain medical treatment.

4. Modifying entrances and work stations for people in wheelchairs.

5. Reassigning an employee who can no longer perform the essential functions of his or her job to another vacant position.

6. Providing a talking calculator, readers and/or braille or audiotape materials for individuals with visual disabilities.

7. Providing qualified interpreters for deaf and hard of hearing people.

How do we determine if an accommodation is reasonable?

Employers are not required to purchase expensive equipment or to make expensive modifications if such expenses would be an "undue hardship" on them financially. Sometimes, funding for reasonable accommodations may be available from state or local agencies. Head Start programs may apply to the Regional Office for funds to cover the expenses of one-time "reasonable accommodations."

Programs with small and limited budgets would not be expected to provide reasonable accommodations that large employers could afford. The decision about denying a person reasonable accommodations based on undue hardship, however, would best be made by high level management and should only be done after a documented effort has been made to consider alternative means of providing a reasonable accommodation. There are no guidelines in the federal regulations about costs of reasonable accommodation to assist in this area. It might be advisable to consult an attorney before making a final decision.

When is Head Start obligated to make a reasonable accommodation?

Reasonable accommodations need to be made only when management is aware of the need for reasonable accommodation. Head Start management is, however, responsible for notifying job applicants and employees of its obligation to provide accommodations for otherwise qualified individuals with disabilities. This notification should be part of the revision of the employment policies and procedures. The EEOC has posters to be placed in an accessible location where they would be seen regularly by employees. They may be obtained directly from the EEOC on request.

If the applicant or employee has a "hidden" disability, it is up to the individual to notify the employer of the need for reasonable accommodation.

What about possible safety concerns?

Employers cannot deny an employment opportunity merely because of a slightly increased risk. An assessment of "direct threat" must be strictly based on valid medical analyses and/or other objective evidence, and not on speculation. This requirement must apply to all applicants and employees, not just to people with disabilities.

If an individual appears to pose a direct threat because of a disability, the employer must first try to eliminate or reduce the risk to an acceptable level with reasonable accommodation. If an effective accommodation cannot be found, the employer may refuse to hire an applicant or discharge an employee who poses a direct threat. Again, this decision would best be made by high level management and only after thorough investigation and documentation about the nature of the threat and what efforts had been considered to reduce the risk.

ACCESS SYMBOLS

The International Symbol of Accessibility -- this sign indicates an accessible facility.

Amplified Telephone -- this sign is used on pay phones with volume control in the headset.

The International TDD Symbol -- this sign is used to indicate the location of TDD phones.

Interpreter Available -- this sign can be used to indicate that an interpreter for the deaf will be available at a meeting.

TITLE III -- MAKING YOUR PROGRAM ACCESSIBLE[3]

Head Start programs are considered "public accommodations" under the ADA, along with other schools, hotels, restaurants, doctors' offices, stores and service establishments, amusement parks, movie theaters and many other places that are open to the public. All public accommodations are prohibited from denying services to or discriminating against individuals with disabilities.

Several broad principles support the nondiscrimination requirements of Title III. These include: 1) equal opportunity to participate; 2) equal opportunity to benefit; and 3) receipt of benefits in the most integrated setting appropriate.

How does Title III affect Head Start?

Title III includes three kinds of accessibility that Head Start programs need to consider: 1) program accessibility; 2) physical accessibility; and 3) the provision of auxiliary aids and services for communication accessibility.

What is program accessibility?

Program accessibility refers to the accommodations or changes that are made so that both children and adults will be able to access Head Start services. A review of policies and procedures should be made to eliminate policy barriers for individuals with disabilities. For example, Head Start programs may not require that children be toilet trained as part of eligibility requirements. Some children with disabilities like spina bifida may never achieve bladder and bowel control, but they may not be excluded from Head Start for this reason.

What is physical accessibility?

Physical accessibility refers to the elimination of physical barriers for people with disabilities in Head Start facilities. Physical barriers include narrow doorways; inaccessible rest rooms, meeting rooms, and classrooms; parking lots with no accessible spaces; telephones that are too high; and many other barriers.

What source of information can Head Start use to ensure compliance with Title III's physical accessibility requirements?

The federal government has published specifications for facilities that illustrate the requirements. Head Start programs contemplating any remodeling should consult the official **Americans with Disabilities Act Accessibility Guidelines** (ADAAG) before making any plans. Any contracts made for building or remodeling should specify that the contractor or architect is responsible for ensuring that the changes comply with the ADAAG.

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[3] This section is adapted from information in the **Americans with Disabilities Act Title II and Title III Technical Assistance Manual**, prepared by the U.S. Department of Justice.

Head Start programs generally lease their space from landlords. Who is responsible for ensuring physical accessibility?

Title III regulations permit the landlord and Head Start to determine responsibility in the lease agreement. Both the landlord and Head Start are fully liable for compliance with Title III. Head Start programs that are currently leasing space must be sure that physical accessibility responsibilities are addressed when leases are renegotiated in the future.

If a Head Start program is renting space from a church or other religious entity, who is responsible for the Title III accessibility compliance?

Churches and other religious entities are not covered by Title III, but if they lease space to a school, day care center, or Head Start program, then the school, center, or Head Start program itself is responsible for ensuring that the space it uses is accessible. In this case, the obligations of a landlord do not apply if the landlord is a religious entity; but Head Start itself would be obligated to make changes that are "readily achievable."

What are Head Start's obligations in terms of "readily achievable physical accessibility?"

All public accommodations, including Head Start programs, are required to make "readily achievable reasonable accommodations" unless they would be considered a "significant difficulty or expense." The federal government does not specify any financial cost guidelines or limits.

What about the cost of making readily achievable changes?

Since there are no financial guidelines in the federal regulations, each program will have to decide what it considers reasonable. The government expects large programs with many sites and large budgets to be able to make more accommodations than smaller programs. For example, large franchised for-profit day care centers would probably be expected to afford more accommodations than Head Start programs. Nevertheless, Head Start programs should survey their facilities, determine what changes need to be made, and set priorities about what to do first. This process should be documented, and the results used for long-range planning.

Head Start programs may apply to the Regional Office for Program Improvement funds to assist in making "readily achievable reasonable accommodations." Such requests would be included under the "Alteration and Renovation of Facilities" section in the "Region V Guidance for the Submission of Supplemental Grant Applications."

What resources are available to help Head Start programs determine the kinds of changes or modifications they must make to their facilities?

A "Checklist for Existing Facilities" is included in this **Quarterly Resource**, and will be helpful in doing a preliminary survey of Head Start facilities. The "Checklist" is useful in identifying barriers and provides suggestions for changes that would eliminate the barriers. Refer to the directions given with the "Checklist" for more details. Two

other useful publications from the National Center for Access Unlimited, **Readily Achievable Checklist: A Survey for Accessibility** and **Achieving Physical and Communication Accessibility** are available from the Champaign Great Lakes RAP Office on loan.

What are the priorities for planning readily achievable barrier removal projects?

The first priority should be to enable individuals with disabilities to physically enter the facility. This priority means there should be a path of travel from the parking lot into the building that is safe and accessible for everyone, including people with disabilities.

The second priority is to allow people with disabilities to access the services or programs that are available to people without disabilities.

The third priority should be to provide access to restrooms. A unisex accessible restroom is an acceptable alternative to remodeling both men's and women's restrooms.

The fourth priority is to remove any other remaining barriers.

What is meant by communication accessibility?

Communication accessibility refers to the modifications that need to be made to enable people with speech, hearing, visual or cognitive impairments to access programs.

What kinds of modifications are necessary for communication accessibility?

Title III requires the provision of "auxiliary aids" to assist people with these disabilities. The type of auxiliary aid or service necessary to ensure effective communication will vary depending on the individual and the circumstances.

What are some examples of auxiliary aids?

Auxiliary aids include services such as qualified readers for the blind, qualified interpreters for the deaf, the use of telephone devices for the deaf (TDDs) or the use of TDD Relay Services, the provision of materials or information in modified formats, such as large print, braille, or audiotapes for people with vision impairments, and simplified language or pictures for people with cognitive disabilities.

What about the costs for auxiliary aids?

Again, the concept of "reasonable accommodations" requires that Head Start provide auxiliary aids unless they would be considered a significant expense or difficulty. These decisions need to be made on a case-by-case basis, and only after alternative options have been considered. Head Start programs may apply to the Regional Office for funds to purchase special equipment for reasonable accommodations.

What kinds of aids or services might be provided for visually impaired people?

Qualified readers, audio recordings, braille materials, or large print materials would be advisable, depending on the person's needs. Large print materials may easily be printed if your material is available on a word processing machine. Braille materials may also be produced from WordPerfect using a computer. Contact your local center for independent living or bureau for the blind for assistance.

What accommodations might be provided for people with cognitive impairments?

Materials might be presented in simple language, with pictures, audiotapes or videotapes.

What provisions would Head Start programs need to make to accommodate a deaf parent?

Deaf people communicate in a variety of ways, so no general statement can be made to cover all situations, but if the parent requests a sign language interpreter at meetings or teacher conferences, the provision of a qualified interpreter for the deaf would be an effective reasonable accommodation.

Some deaf parents may communicate through lipreading and may not require an interpreter in most one-to-one situations. Writing notes may be effective in some situations, but it would be advisable to ask parents what communication methods they prefer.

How can qualified interpreters be located?

Qualified interpreters may be located by calling a state department of rehabilitation office, a center for independent living, or the state school for the deaf.

How can we communicate with deaf people on the telephone?

Head Start programs should also be aware of methods of communicating with deaf parents on the phone, either through the use of TDDs or through a telephone relay service.

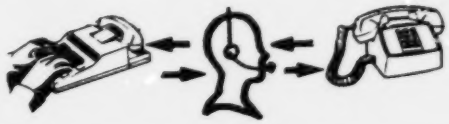
HOW TO USE TDD RELAY SERVICES[4]

The Americans with Disabilities Act (Title IV) requires that each state establish a TDD Relay Service to enable people who are hearing and/or speech impaired to use a Telephone Device for the Deaf (TDD) or computer (text telephone or TT) to communicate with hearing people on the telephone.

Relay services must be available 24-hours a day, 7-days a week. The service allows people using TDDs to communicate through a third-party operator, or Communication Assistant.

Head Start programs may wish to use the Relay Service to Communicate with parents, volunteers or other people in the community who use TDDs. Each state has it own Relay Service. Be sure to use the number for your state when you call.

How do I call?



Specially trained Communications Assistants relay conversations over the telephone between a person who uses a TDD and a person who uses a voice telephone.

In Michigan, call 800-649-3777.
In Wisconsin, call 800-947-3528.
In Illinois, call 800-526-0857.
In Minnesota, call 800-627-3529.
In Indiana, after October 1st, 1992, call 800-743-3333.
In Ohio, service is scheduled to begin by the end of 1992. Call 614-438-1291 for information and to get the toll-free number when it becomes available.

How does the service work?

When the Communications Assistant answers, give the telephone number and name of the person you wish to call. The Communications Assistant will then place the call for you.

When the person you are calling answers the Communications Assistant will tell you to go ahead, and you may begin your conversation.

When the person using a standard phone speaks, the Communications Assistant types the information to the TDD caller. When the TDD caller responds, the Communications Assistant voices the typed information to the person using the standard phone.

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[4] Adapted from a brochure published by the Illinois Telecommunications Access Corporation.

When can I use this service?

You can use the Relay Service any time of the day or night. Communications Assistants will answer your call 24 hours a day, 7 days a week, including holidays.

How long may I talk?

There is no time limit on the length of the call placed through the Relay Service.

Can I be sure my calls are private?

Yes. Calls through the Relay Service are strictly confidential. Employees may not disclose any information seen or heard as they assist with calls. Communications Assistants will relay entire conversations. There is no record of the call, other than billing data, after the conversation is completed.

How much does it cost?

There is no extra charge for the relay service. Since you call a toll-free number, there is no cost to call the Relay Service.

Calls completed through the Relay Service will appear on your bill at regular telephone company rates.

2.)

Checklist for Existing Facilities

Introduction

Title III of the Americans with Disabilities Act requires public accommodations to provide goods and services to people with disabilities on an equal basis with the rest of the general public. The goal is to afford every individual the opportunity to benefit from our country's businesses and services, and to afford our businesses and services the opportunity to benefit from the patronage of all Americans.

By January 26, 1992, architectural and communication barriers must be removed in public areas of existing facilities when their removal is readily achievable—in other words, easily accomplished and able to be carried out without much difficulty or expense. Public accommodations that must meet the barrier removal requirement include a broad range of establishments (both for-profit and nonprofit)—such as hotels, restaurants, theaters, museums, retail stores, private schools, banks, doctors' offices, and other places that serve the public. People who own, lease, lease out, or operate places of public accommodation in existing buildings are responsible for complying with the barrier removal requirement.

The removal of barriers can often be achieved by making simple changes to the physical environment. However, the regulations do not define exactly how much effort and expense are required for a facility to meet its obligation. This judgment must be made on a case-by-case basis, taking into consideration such factors as the size, type, and overall financial resources of the facility, and the nature and cost of the access improvements needed. These factors are described in more detail in the ADA regulations issued by the Department of Justice.

The process of determining what changes are readily achievable is not a one-time effort; access should be re-evaluated annually. Barrier removal that might be difficult to carry out now may be readily achievable later. Tax incentives are available to help absorb costs over several years.

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Barrier Free Environments, Inc.

ADA
TITLES II & III
COMPLIANCE MATERIALS

Purpose of this Checklist

This checklist will help you identify accessibility problems and solutions in existing facilities in order to meet your obligations under the ADA.

The goal of the survey process is to plan how to make an existing facility more usable for people with disabilities. The Department of Justice recommends the development of an Implementation Plan, specifying what improvements you will make to remove barriers and when each solution will be carried out: "...Such a plan...could serve as evidence of a good faith effort to comply...."

Technical Requirements

This checklist details some of the requirements found in the ADA Accessibility Guidelines (ADAAG). However, keep in mind that full compliance with ADAAG is required only for new construction and alterations. The requirements are presented here as a guide to help you determine what may be readily achievable barrier removal for existing facilities. Whenever possible, ADAAG should be used in making readily achievable modifications. If complying with ADAAG is not readily achievable, you may undertake a modification that does not fully comply with ADAAG using less stringent standards, as long as it poses no health or safety risk.

Each state has its own regulations regarding accessibility. To ensure compliance with all codes, know your state and local codes and use the more stringent technical requirement for every modification you make; that is, the requirement that provides greater access for individuals with disabilities. The barrier removal requirement for existing facilities is new under the ADA and supersedes less stringent local or state codes.

What this Checklist is *Not*

This checklist does not cover all of ADAAG's requirements; therefore, it is not for facilities undergoing new construction or alterations. In addition, it does not attempt to illustrate all possible barriers or propose all possible barrier removal solutions. ADAAG should be consulted for guidance in situations not covered here.

The checklist does not cover Title III's requirements for nondiscriminatory policies and practices and for the provision of auxiliary communication aids and services. The communication features covered are those that are structural in nature.

Priorities

This checklist is based on the four priorities recommended by the Title III regulations for planning readily achievable barrier removal projects:

Priority 1: Accessible entrance into the facility
Priority 2: Access to goods and services
Priority 3: Access to rest rooms
Priority 4: Any other measures necessary

How to Use this Checklist

√ **Get Organized:** Establish a time frame for completing the survey. Determine how many copies of the checklist you will need to survey the whole facility. Decide who will conduct the survey. It is strongly recommended that you invite two or three additional people, including people with various disabilities and accessibility expertise, to assist in identifying barriers, developing solutions for removing these barriers, and setting priorities for implementing improvements.

√ **Obtain Floor Plans:** It is very helpful to have the building floor plans with you while you survey. If plans are not available, use graph paper to sketch the layout of all interior and exterior spaces used by your organization. Make notes on the sketch or plan while you are surveying.

√ **Conduct the Survey:** Bring copies of this checklist, a clipboard, a pencil or pen, and a flexible steel tape measure. With three people surveying, one person numbers key items on the floor plan to match with the field notes, taken by a second person, while the third takes measurements. Think about each space from the perspective of people with physical, hearing, visual, and cognitive disabilities, noting areas that need improvement.

√ **Summarize Barriers and Solutions:** List barriers found and ideas for their removal. Consider the solutions listed beside each question, and add your own ideas. Consult with building contractors and equipment suppliers to estimate the costs for making the proposed modifications.

√ **Make Decisions and Set Priorities:** Review the summary with decision makers and advisors. Decide which solutions will best eliminate barriers at a reasonable cost. Prioritize the items you decide upon and make a timeline for carrying them out. Where the removal of barriers is not readily achievable, you must consider whether there are alternative methods for providing access that are readily achievable.

√ **Maintain Documentation:** Keep your survey, notes, summary, record of work completed, and plans for alternative methods on file.

√ **Make Changes:** Implement changes as planned. Always refer directly to ADAAG and your state and local codes for complete technical requirements before making any access improvement. References to the applicable sections of ADAAG are listed at the beginning of each group of questions. If you need help understanding the federal, state or local requirements, contact your Disability and Business Technical Assistance Center.

√ **Follow Up:** Review your Implementation Plan each year to re-evaluate whether more improvements have become readily achievable.

To obtain a copy of the ADAAG or other information from the U.S. Department of Justice, call: (202) 514-0301 Voice, (202) 514-0381 TDD, (202) 514-0383 TDD. For technical questions, contact the Architectural and Transportation Barriers Compliance Board at (800) USA-ABLE.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Priority 1: Accessible Entrance People with disabilities should be able to arrive on the site, approach the building, and enter the building as freely as everyone else. At least one path of travel should be safe and accessible for everyone, including people with disabilities.			
Path of Travel (ADAAG 4.3, 4.4, 4.5, 4.7) Is there a path of travel that does not require the use of stairs?	☐	☐	☐ Add a ramp if the path of travel is interrupted by stairs. ☐ Add an alternative pathway on level ground.
Is the path of travel stable, firm and slip-resistant?	☐	☐	☐ Repair uneven paving. ☐ Fill small bumps and breaks with beveled patches. ☐ Replace gravel with hard top.
Is the path at least 36 inches wide?	☐	☐	☐ Change or move landscaping, furnishings, or other features that narrow the path of travel. ☐ Widen pathway.
Can all objects protruding into the path be detected by a person with a visual disability using a cane? **In order to be detected** using a cane, an object must be within 27 inches of the ground. Objects hanging or mounted overhead must be higher than 80 inches to provide clear head room. It is not necessary to remove objects that protrude less than 4 inches from the wall.	☐	☐	☐ Move or remove protruding objects. ☐ Add a cane-detectable base that extends to the ground. ☐ Place a cane-detectable object on the ground underneath as a warning barrier.
Do curbs on the pathway have curb cuts at drives, parking, and drop-offs?	☐	☐	☐ Install curb cut. ☐ Add small ramp up to curb.
Ramps (ADAAG 4.8) Are the slopes of ramps no greater than 1:12?	☐	☐	☐ Lengthen ramp to decrease slope. ☐ Relocate ramp. ☐ If available space is limited, reconfigure ramp to include switchbacks.
Slope is given as a ratio of the height to the length. 1:12 means for every 12 inches along the base of the ramp, the height increases one inch. For a 1:12 maximum slope, **at least** one foot of ramp length is needed for each inch of height. 1 : 12			

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Ramps, continued			
Do all ramps longer than 6 feet have railings on both sides?	☐	☐	☐ Add railings.
Are railings sturdy, and between 34 and 38 inches high?	☐	☐	☐ Adjust height of railings. ☐ Secure handrails.
Is the width between railings at least 36 inches?	☐	☐	☐ Relocate the railings. ☐ Widen the ramp.
Are ramps non-slip?	☐	☐	☐ Add non-slip surface material.
Is there a 5-foot-long level landing at every 30-foot horizontal length of ramp, at the top and bottom of ramps and at switchbacks? **The ramp should rise** no more than 30 inches between landings.	☐	☐	☐ Remodel or relocate ramp.
Parking and Drop-Off Areas (ADAAG 4.6) Are an adequate number of accessible parking spaces available (8 feet wide for car plus 5-foot striped access aisle)? For guidance in determining the appropriate number to designate, the table below gives the ADAAG requirements for new construction and alterations (for lots with more than 100 spaces, refer to ADAAG): **Total spaces** — **Accessible** 1 to 25 — 1 space 26 to 50 — 2 spaces 51 to 75 — 3 spaces 76 to 100 — 4 spaces	☐	☐	☐ Reconfigure a reasonable number of spaces by repainting stripes.
Are 16-foot-wide spaces, with 98 inches of vertical clearance, available for lift-equipped vans? **At least one of every 8 accessible spaces** must be van-accessible.	☐	☐	☐ Reconfigure to provide a reasonable number of van-accessible spaces.
Are the accessible spaces closest to the accessible entrance?	☐	☐	☐ Reconfigure spaces.
Are accessible spaces marked with the International Symbol of Accessibility? Are there signs reading "Van Accessible" at van spaces? International Symbol of Accessibility:	☐	☐	☐ Add signs, placed so that they are not obstructed by cars.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Parking and Drop-Off Areas, continued Is there an enforcement procedure to ensure that accessible parking is used only by those who need it?	☐	☐	☐ Implement a policy to check periodically for violators and report them to the proper authorities.
Entrance (ADAAG 4.13, 4.14) If there are stairs at the main entrance, is there also a ramp or lift, or is there an alternative accessible entrance? **Do not use a service entrance as the accessible entrance** unless there is no other option.	☐	☐	☐ If it is not possible to make the main entrance accessible, create a dignified alternate accessible entrance. Make sure there is accessible parking near accessible entrances.
Do all inaccessible entrances have signs indicating the location of the nearest accessible entrance?	☐	☐	☐ Install signs at or before inaccessible entrances.
Can the alternate accessible entrance be used independently?	☐	☐	☐ Eliminate as much as possible the need for assistance—to answer a doorbell, to operate a lift, or to put down a temporary ramp, for example.
Does the entrance door have at least 32 inches clear opening (for a double door, at least one 32-inch leaf)?	☐	☐	☐ Widen the door. ☐ Install offset (swing-clear) hinges.
Is there at least 18 inches of clear wall space on the pull side of the door, next to the handle? **A person using a wheelchair** needs this space to get close enough to open the door.	☐	☐	☐ Remove or relocate furnishings, partitions, or other obstructions. ☐ Move door. ☐ Add power-assisted door opener.
Is the threshold level (less than 1/4 inch) or beveled, up to 1/2 inch high?	☐	☐	☐ If there is a single step with a rise of 6 inches or less, add a short ramp. ☐ If there is a high threshold, remove it or add a bevel.
Are doormats 1/2 inch high or less, and secured to the floor at all edges?	☐	☐	☐ Replace or remove mats. ☐ Secure mats at edges.
Is the door handle no higher than 48 inches and operable with a closed fist? **The "closed fist" test for handles and controls:** Try opening the door or operating the control using only one hand, held in a fist. If you can do it, so can a person who has limited use of his or her hands.	☐	☐	☐ Replace inaccessible knob with a lever or loop handle. ☐ Retrofit with an add-on lever extension.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Entrance, continued			
Can doors be opened without too much force (maximum is 5 lbf)? You can use a fish scale to measure the force required to open a door. Attach the hook of the scale to the doorknob or handle. Pull on the ring end of the scale until the door opens, and read off the amount of force required. If you do not have a fish scale, you will need to judge subjectively whether the door is easy enough to open.	☐	☐	☐ Adjust the door closers and oil the hinges. ☐ Install power-assisted door openers. ☐ Install lighter doors.
If the door has a closer, does it take at least 3 seconds to close?	☐	☐	☐ Adjust door closer.
Emergency Egress (ADAAG 4.1.3 (14), 4.28) Do all alarms have both flashing lights and audible signals?	☐	☐	☐ Install visible and audible alarms.
Is there sufficient lighting in egress pathways such as stairs, corridors, and exits?	☐	☐	☐ Upgrade, add, or clean bulbs or fixtures.

Priority 2: Access to Goods and Services

Ideally, the layout of the building should allow people with disabilities to obtain goods or services without special assistance. Where it is not possible to provide full accessibility, assistance or alternative services should be available upon request.

Horizontal Circulation (ADAAG 4.3) Does the accessible entrance provide direct access to the main floor, lobby, or elevator?	☐	☐	☐ Add ramps or lifts. ☐ Make another entrance accessible.
Are all public spaces on an accessible path of travel?	☐	☐	☐ Provide access to all public spaces along an accessible path of travel.
Is the accessible route to all public spaces at least 36 inches wide?	☐	☐	☐ Move furnishings such as tables, chairs, display racks, vending machines, and counters to make more room.
Is there a 5-foot circle or a T-shaped space for a person using a wheelchair to reverse direction?	☐	☐	☐ Rearrange furnishings, displays, and equipment.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Doors (ADAAG 4.13)			
Do doors into public spaces have at least a 32-inch clear opening?	☐	☐	☐ Install offset (swing-clear) hinges. ☐ Widen doors.
On the pull side of doors, next to the handle, is there at least 18 inches of clear wall space so that a person using a wheelchair can get near to open the door?	☐	☐	☐ Reverse the door swing if it is safe to do so. ☐ Move or remove obstructing partitions.
Can doors be opened without too much force (5 lbf maximum)?	☐	☐	☐ Adjust or replace closers. ☐ Install lighter doors. ☐ Install power-assisted door openers.
Are door handles 48 inches high or less and operable with a closed fist?	☐	☐	☐ Lower handles. ☐ Replace inaccessible knobs or latches with lever or loop handles. ☐ Retrofit with add-on lever extensions. ☐ Install power-assisted door openers.
Are all thresholds level (less than 1/4 inch), or beveled, up to 1/2 inch high?	☐	☐	☐ Remove thresholds. ☐ Add bevels to both sides.
Rooms and Spaces (ADAAG 4.2, 4.4, 4.5, 4.30)			
Are all aisles and pathways to all goods and services at least 36 inches wide?	☐	☐	☐ Rearrange furnishings and fixtures to clear aisles.
Is there a 5-foot circle or T-shaped space for turning a wheelchair completely?	☐	☐	☐ Rearrange furnishings to clear more room.
Is carpeting low-pile, tightly woven, and securely attached along edges?	☐	☐	☐ Secure edges on all sides. ☐ Replace carpeting.
In routes through public areas, are all obstacles cane-detectable (located within 27 inches of the floor or protruding less than 4 inches from the wall), or are they higher than 80 inches?	☐	☐	☐ Remove obstacles. ☐ Install furnishings, planters, or other cane-detectable barriers underneath the obstacle.
Do signs designating permanent rooms and spaces, such as rest room signs, exit signs, and room numbers, comply with the appropriate requirements for accessible signage?	☐	☐	☐ Provide signage that has raised and brailled letters, complies with finish and contrast standards, and is mounted at the correct height and location.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Controls (ADAAG 4.27)			
Are all controls that are available for use by the public (including electrical, mechanical, window, cabinet, game, and self-service controls) located at an accessible height? **Reach ranges:** The maximum height for a side reach is 54 inches; for a forward reach, 48 inches. The minimum reachable height is 15 inches.	☐	☐	☐ Relocate controls.
Are they operable with a closed fist?	☐	☐	☐ Replace controls.
Seats, Tables, and Counters (ADAAG 4.2, 4.32)			
Are the aisles between chairs or tables at least 36 inches wide?	☐	☐	☐ Rearrange chairs or tables to provide 36-inch aisles.
Are the spaces for wheelchair seating distributed throughout?	☐	☐	☐ Rearrange tables to allow room for wheelchairs in seating areas throughout the area. ☐ Remove some fixed seating.
Are the tops of tables or counters between 28 and 34 inches high?	☐	☐	☐ Lower at least a section of high tables and counters.
Are knee spaces at accessible tables at least 27 inches high, 30 inches wide, and 19 inches deep?	☐	☐	☐ Replace or raise tables.
Vertical Circulation (ADAAG 4.3)			
Are there ramps or elevators to all levels?	☐	☐	☐ Install ramps or lifts. ☐ Modify a service elevator. ☐ Relocate goods or services to an accessible area.
On each level, if there are stairs between the entrance and/or elevator and essential public areas, is there an accessible alternate route?	☐	☐	☐ Post clear signs directing people along an accessible route to ramps, lifts, or elevators.
Stairs (ADAAG 4.9)			
Do treads have a non-slip surface?	☐	☐	☐ Add non-slip surface to treads.
Do stairs have continuous rails on both sides, with extensions beyond the top and bottom stairs?	☐	☐	☐ Add or replace handrails.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Elevators (ADAAG 4.10)			
Are there both visible and verbal or audible door opening/closing and floor indicators (one tone = up, two tones = down)?	☐	☐	☐ Install visible and verbal or audible signals.
Are the call buttons in the hallway no higher than 42 inches?	☐	☐	☐ Lower call buttons. ☐ Provide a permanently attached reach stick.
Do the controls outside and inside the cab have raised and braille lettering?	☐	☐	☐ Install raised lettering and braille next to buttons.
Is there a sign on the jamb at each floor identifying the floor in raised and braille letters?	☐	☐	☐ Install tactile signs to identify floor numbers, at a height of 60 inches from floor.
Is the emergency intercom usable without voice communication?	☐	☐	☐ Replace communication system.
Are there braille and raised-letter instructions for the communication system?	☐	☐	☐ Add simple tactile instructions.
Lifts (ADAAG 4.2, 4.11)			
Can the lift be used without assistance? If not, is a call button provided?	☐	☐	☐ At each stopping level, post clear instructions for use of the lift. ☐ Provide a call button.
Is there at least 30 by 48 inches of clear space for a person using a wheelchair to approach to reach the controls and use the lift?	☐	☐	☐ Rearrange furnishings and equipment to clear more space.
Are controls between 15 and 48 inches high (up to 54 inches if a side approach is possible)?	☐	☐	☐ Move controls.

Priority 3: Usability of Rest Rooms

When rest rooms are open to the public, they should be accessible to people with disabilities. Closing a rest room that is currently open to the public is not an allowable option.

Getting to the Rest Rooms (ADAAG 4.1)			
If rest rooms are available to the public, is at least one rest room (either one for each sex, or unisex) fully accessible?	☐	☐	☐ Reconfigure rest room. ☐ Combine rest rooms to create one unisex accessible rest room.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Getting to the Rest Rooms, continued Are there signs at inaccessible rest rooms that give directions to accessible ones?	☐	☐	☐ Install accessible signs.
Doorways and Passages (ADAAG 4.2, 4.13) Is there tactile signage identifying rest rooms? **Mount signs on the wall,** on the latch side of the door. Avoid using ambiguous symbols in place of text to identify rest rooms.	☐	☐	☐ Add accessible signage, placed to the side of the door (not on the door itself). ☐ If symbols are used, add supplementary verbal signage.
Is the doorway at least 32 inches clear?	☐	☐	☐ Install offset (swing-clear) hinges. ☐ Widen the doorway.
Are doors equipped with accessible handles (operable with a closed fist), 48 inches high or less?	☐	☐	☐ Lower handles. ☐ Replace inaccessible knobs or latches with lever or loop handles. ☐ Add lever extensions. ☐ Install power-assisted door openers.
Can doors be opened easily (5 lbf maximum force)?	☐	☐	☐ Adjust or replace closers. ☐ Install lighter doors. ☐ Install power-assisted door openers.
Does the entry configuration provide adequate maneuvering space for a person using a wheelchair? **A person using a wheelchair** needs 36 inches of clear width for forward movement, and a 5-foot diameter clear space or a T-shaped space to make turns. A minimum distance of 48 inches, clear of the door swing, is needed between the two doors of an entry vestibule.	☐	☐	☐ Rearrange furnishings such as chairs and trash cans. ☐ Remove inner door if there is a vestibule with two doors. ☐ Move or remove obstructing partitions.
Is there a 36-inch-wide path to all fixtures?	☐	☐	☐ Remove obstructions.
Stalls (ADAAG 4.17) Is the stall door operable with a closed fist, inside and out?	☐	☐	☐ Replace inaccessible knobs with lever or loop handles. ☐ Add lever extensions.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Stalls, continued			
Is there a wheelchair-accessible stall that has an area of at least 5 feet by 5 feet, clear of the door swing, OR is there a stall that is less accessible but that provides greater access than a typical stall (either 36 by 69 inches or 48 by 69 inches)?	☐	☐	☐ Move or remove partitions. ☐ Reverse the door swing if it is safe to do so.
In the accessible stall, are there grab bars behind and on the side wall nearest to the toilet?	☐	☐	☐ Add grab bars.
Is the toilet seat 17 to 19 inches high?	☐	☐	☐ Add raised seat.
Lavatories (ADAAG 4.19, 4.24)			
Does one lavatory have a 30-inch-wide by 48-inch-deep clear space in front? A maximum of 19 inches of the required depth may be under the lavatory.	☐	☐	☐ Rearrange furnishings. ☐ Replace lavatory. ☐ Remove or alter cabinetry to provide space underneath. Make sure hot pipes are insulated. ☐ Move a partition or wall.
Is the lavatory rim no higher than 34 inches?	☐	☐	☐ Adjust or replace lavatory.
Is there at least 29 inches from the floor to the bottom of the lavatory apron (excluding pipes)?	☐	☐	☐ Adjust or replace lavatory.
Can the faucet be operated with one closed fist?	☐	☐	☐ Replace faucet handles with paddle type.
Are soap and other dispensers and hand dryers 48 inches high or less and usable with one closed fist?	☐	☐	☐ Lower dispensers. ☐ Replace with or provide additional accessible dispensers.
Is the mirror mounted with the bottom edge of the reflecting surface 40 inches high or lower?	☐	☐	☐ Lower or tilt down the mirror. ☐ Replace with larger mirror.

Priority 4: Additional Access

When amenities such as public telephones and drinking fountains are provided to the general public, they should also be accessible to people with disabilities.

Drinking Fountains (ADAAG 4.15)			
Is there at least one fountain with clear floor space of at least 30 by 48 inches in front?	☐	☐	☐ Clear more room by rearranging or removing furnishings.

QUESTIONS	Yes	No	POSSIBLE SOLUTIONS
Drinking Fountains, continued			
Is there one fountain with its spout no higher than 36 inches from the ground, and another with a standard height spout (or a single "hi-lo" fountain)?	☐	☐	☐ Provide cup dispensers for fountains with spouts that are too high. ☐ Provide an accessible water cooler.
Are controls mounted on the front or on the side near the front edge, and operable with one closed fist?	☐	☐	☐ Replace the controls.
Does the fountain protrude no more than 4 inches into the circulation space?	☐	☐	☐ Place a planter or other cane-detectable barrier on each side at floor level.
Telephones (ADAAG 4.30, 4.31) If pay or public use phones are provided, is there clear floor space of at least 30 by 48 inches in front of at least one?	☐	☐	☐ Move furnishings. ☐ Replace booth with open station.
Is the highest operable part of the phone no higher than 48 inches (up to 54 inches if a side approach is possible)?	☐	☐	☐ Lower telephone.
Does the phone protrude no more than 4 inches into the circulation space?	☐	☐	☐ Place a cane-detectable barrier on each side at floor level.
Does the phone have push-button controls?	☐	☐	☐ Contact phone company to install push-buttons.
Is the phone hearing aid compatible?	☐	☐	☐ Contact phone company to add an induction coil (T-switch).
Is the phone adapted with volume control?	☐	☐	☐ Contact the phone company to add volume control.
Is the phone with volume control identified with appropriate signage?	☐	☐	☐ Add signage.
Is one of the phones equipped with a text telephone (TT or TDD)?	☐	☐	☐ Install a text telephone. ☐ Have a portable text telephone available.
Is the location of the text telephone identified by accessible signage bearing the International TDD Symbol?	☐	☐	☐ Add signage.

International TDD Symbol:

STRATEGIES FOR DEVELOPING A COMPLIANCE PLAN[5]

I. Overall plan development

A. Appoint a person to be responsible for overseeing ADA compliance activities. ADA compliance should be seen as an integral part of Head Start's program. Managers who can clearly communicate a vision of compliance in the spirit of the ADA will be effective in assisting others to achieve compliance goals.

B. Develop a policy statement indicating Head Start's commitment to the spirit of the ADA.

C. Develop a timeline for the review of policies and procedures and for the facility accessibility survey.

D. Include ADA and disability awareness training as part of your ongoing staff development training.

II. Title I activities related to employment provisions.

A. Review job descriptions for all positions. When determining the essential functions of each position, involve the people who are currently working in each position. Orient the people who participate by giving them information about the ADA and how to think about the mental, physical and social demands of their jobs. Include a statement about the required skills, education, licenses or training for each position. Develop job descriptions for positions that are currently open and those that have high turnover rates first. Write the job description so that the essential functions are listed in order of priority.

B. Review the procedure for advertising positions. In addition to your usual advertising methods, send announcements to the state department of rehabilitation office and to local agencies that work with people with disabilities.

C. Review all employment practices and procedures. Make any necessary changes to ensure there are no discriminatory practices. Eliminate questions about disabilities from application forms and interview questions. Make sure any tests given accurately measure the ability to do specific job-related tasks. If medical exams are necessary, they must be done after a job offer has been made. All medical information about applicants or employees must be kept in a separate and confidential file. Provide reasonable accommodations to applicants and current employees. Determinations about reasonable accommodations must be made on an individual case-by-case basis. If a

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[5] This section is based on material from Morrissey, P. (1992) **Human Resource Executive's Survival Guide to The Americans with Disabilities Act**. Horsham, PA: LRP Publications. Used with permission.

reasonable accommodation is considered an undue hardship, document the alternatives considered and give the reasons why. Post EEOC poster about the ADA.

III. Title III activities related to accessibility.

A. Survey facilities to determine what changes are "readily achievable" to make the programs accessible for people with mobility and communication disabilities. The "Checklist for Existing Facilities," which will help to identify needed changes and possible solutions, is included in this **Quarterly Resource**. Involve the children in some of the survey activities.

B. Develop a long-range plan to work toward eliminating problems identified in the survey. Make goals annually.

C. Invite people with disabilities to participate in your facility accessibility survey.

D. Make sure any contracts for leasing or remodeling of facilities address ADA issues.

E. Make sure that off-site social events, staff training and meetings are held at accessible facilities.

IV. Other helpful strategies.

A. Take advantage of training opportunities in your area to learn more about the ADA.

B. Identify local resources that are knowledgeable about disabilities and accommodations. Network.

C. Develop a relationship with agencies and organizations that work with people with disabilities.

D. Contact RAP staff for technical assistance.

GUIDELINES FOR PLANNING MEETINGS OR CONFERENCES

Does the facility have accessible parking?

Could a person in a wheelchair get through the front door?

Are the rest rooms accessible?

Is the dining area accessible?

Are sleeping rooms and bathrooms wheelchair accessible?

Does the hotel have a TDD and a flashing smoke alarm available for deaf guests?

When sending out your flyer or invitation be sure to ask:

Will you need any special accommodations?

___ Wheelchair accessible room

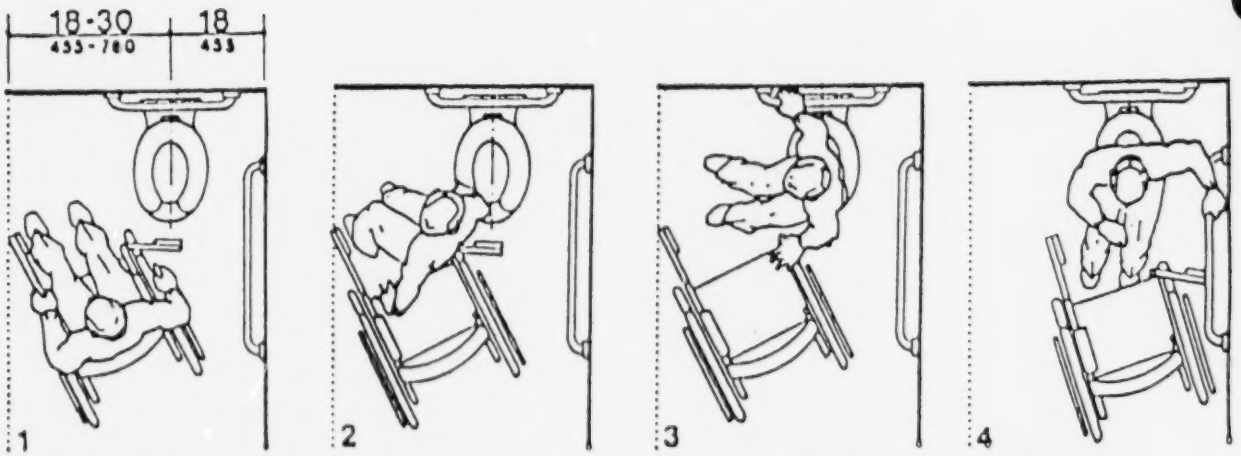
___ Large print materials

___ Braille materials

___ Audiotaped materials

___ Interpreter for the Deaf

___ Other: please specify _____



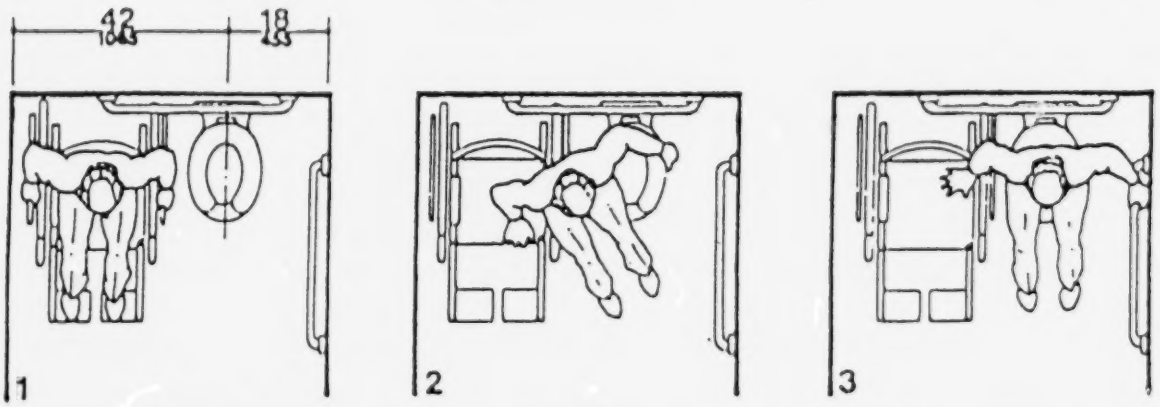
Takes transfer position, swings footrest out of of the way, sets brakes.

Removes armrest, transfers.

Moves wheelchair out of the way, changes position (some people fold chair or pivot it 90° to the toilet).

Positions on toilet, releases brake.

Diagonal Approach



Takes transfer position, removes armrest, sets brakes.

Transfers.

Positions on toilet.

Side Approach

Wheelchair Transfers[6]

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[6] Example taken from **The Americans with Disabilities Act Accessibility Guidelines.** (ADAAG).

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STATE UPDATES

Illinois

The Illinois State Board of Education is interested in working with the Illinois Head Start Association on concrete ways to implement their already existing collaborative agreement. A tentative meeting has been scheduled for the Quarterly Head Start Meeting in January, 1993, in Springfield.

Indiana

Great Lakes RAP is working with Indiana University to hire someone locally to provide services in Indiana. This subcontract will begin on November 15, 1992 and is a pilot project running through August 1993.

Michigan

The Michigan Head Start Child Development Association (MHSCDA) is requesting donations from programs for Florida Head Start families affected by Hurricane Andrew.

A memorandum has been sent from the MHSCDA to all twenty members of Michigan's congressional delegation urging the passage of H.R. 5630. This bill, among other things, gives Head Start programs legal authority to purchase their own facilities.

Under the Competitive Child Care and Development Block Grant three demonstration projects have been funded. They include:

1. Before and After School Care for ages 5-12 Year Old Children;

2. Birth - 12 Emergency Care; and

3. Child care for 3 Year Olds Who Are At Risk For Developmental Delay, Special Needs, or Who Have Need for Special Assistance.

Minnesota

The Minnesota Head Start Association is now represented on the ICC by Jo Vigen, Director, from Inter County Community Council Head Start in Oklee.

The Minnesota legislature put into law that the Department of Jobs and Training should also have representation on the ICC. Sharon Shapiro, Head Start Specialist, will represent the Department of Jobs and Training.

Minnesota has submitted a proposal for a Head Start-State collaboration project grant. Activities will result in the development of a statewide network of CORNERSTONE Centers, wrapped around Head Start programs, offering a comprehensive array of family support and development services, accessible to low income families and their children. The fragmentation in the system, the barriers created by categorical funding, and the problems of staff coordination at the state and local level, will be addressed by Project

CORNERSTONE. By facilitating a joint planning process, Project CORNERSTONE presents the State of Minnesota with the opportunity to model an integrated service delivery system for at least ten Head Start programs. Project CORNERSTONE centers will provide one-stop services for families, easing their access to resources and information, and maximizing the resources of providers involved in the collaborative efforts. All activities are aimed at building the capacities of local Head Start CORNERSTONE programs, parents and staff. These state and local efforts will be supported by comprehensive Head Start cross agency training activities.

Ohio

Great Lakes RAP is working with the Ohio Head Start Association to hire someone locally to provide services in Ohio. This subcontract will begin on November 1, 1992, and is a pilot project running through August 1993.

Wisconsin

The state collaborative agreement between the Department of Public Instruction and ACF, Region V, representing Head Start grantees, was recently signed. It will be mailed to local school districts and Head Start programs. DPI and Great Lakes RAP plan to provide orientation sessions on possible collaborative arrangements and approaches to school districts and Head Start programs.

United Migrant Opportunity Services (UMOS) became a Head Start delegate agency to the Texas Migrant Council in May, 1992. As a delegate agency, UMOS will service 400 children of migrant workers. Services will be provided from June 15 to December 15. A Head Start grantee since June 1991, UMOS offered Head Start to 94 Migrant children, ages six weeks to five years, before being named a delegate agency to the Texas Migrant Council. Kari Hitchman is the UMOS director.

Chris Lehman, the former Wisconsin Interagency Specialist is the Family Service Center director for Dane County Parent Council, Inc. This Family Service Center was one of two awarded in Wisconsin. The Family Service Centers will focus on preventing/reducing substance abuse, increasing parents' employability skills, and improving literacy skills.

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